

IDAHO TELEHEALTH COUNCIL

January 16, 2015

Meeting Minutes

ATTENDEES:

LOCATION: 450 W State Street, 10th Floor, Boise, ID

Members Present:

Stacey Carson – Telehealth Council Chairman, Idaho Hospital Association
Achini Dingman, Blue Cross of Idaho
Tana Cory, Bureau of Occupational Licenses
Tom Donovan, Department of Insurance
Barry Bennett, Idaho Board of Medicine
Nancy Kerr, Idaho Board of Medicine
Molly Steckel, Idaho Medical Association
Susan Ault, Idaho Primary Care Association
Tracey Sessions, Idaho State Hospital South
Mary Sheridan, Department of Health and Welfare, Division of Public Health
Matt Wimmer, Department of Health and Welfare, Division of Medicaid
Casey Meza, Affiliated Health Services, Kootenai Health
David Morledge, Neurostatus, LLC
Becky diVittorio, OptumHealth
Linda Mac Vicar, Pacific Source
Michael Meza, Kootenai Health
Tiffany Whitmore Seibert, St. Alphonsus Health System
Paul McPherson, St. Luke's Children's Hospital
Marc Chasin, St. Luke's Health System
Bill Hazle, Stargazers, LLC

Teleconference:

Rick Goodwin, Eastern Idaho Regional Medical Center
Michael Bess, OptumHealth
Melissa Christian, Regence BlueShield
Ken Schaecher, Select Health
Dr. Joy Johnson, Idaho Board of Optometry, Board Member (Subject Matter Expert)

Members Absent:

William Ganz, Idaho Board of Medicine

DHW Staff Present:

Carla Cerchione, Project Manager, Staff to the Telehealth Council
Cynthia York, Administrator, Staff to the Telehealth Council

Guests:

Susan Miller, Board of Dentistry (Subject Matter Expert)
Dr. Ronald Ponsford, Idaho Board of Psychologist Examiners, Board Member (Subject Matter Expert)
Robert Payne, Idaho Board of Social Workers, Board Member (Subject Matter Expert)
Emily Patchin, Risch-Pisca Law and Policy
Kris Ellis, Eiguren-Fisher-Ellis Public Policy Firm
Tony Smith, Eiguren-Fisher-Ellis Public Policy Firm
Joseph McCollum, Hawley Troxell Attorneys and Counselors
Jean Uranga, Uranga & Uranga
Sara Bartles, Business Psychology Associates

Roger Hales, Naylor & Hales, P.C.
Melissa Carico, Department of Health and Welfare, Division of Medicaid
Kris Armstrong, Go Telecare

1. Welcome, Introductions, Charter – Stacey Carson, Telehealth Council Chair

- ❖ Stacey Carson welcomed everyone.
- ❖ Members and guests provided brief introductions.
- ❖ The Council Appointees have a seat at the table and voting privilege. If the Council Appointee is unable to attend a meeting, a delegate may represent the Appointee. Any interested parties, individuals, other stakeholders, etc. are welcome to attend and sit in the perimeter of the room or attend via conference call. All comments and discussion points will be the responsibility of the Council Appointee or his/her delegate in the Council Appointee's absence. Time is limited, so discussion is limited to those sitting at the table, unless time on the agenda allows for "open discussion/comments" upon invitation from the Telehealth Council Chair, Stacey Carson. Lunch will be provided for Council Appointees only, or his/her delegate in the Council Appointee's absence.

2. Minutes – Stacey Carson, Telehealth Council Chair

- ❖ Minutes of the 12/12/2014 meeting were moved and accepted as prepared.

3. Proposed Draft Idaho Telehealth Access Act – Stacey Carson, Telehealth Council Chair

- ❖ The Idaho State Board of Medicine formally adopted the Federation of State Medical Boards (FSMB) [Model Policy for the Appropriate Use of Telemedicine Technologies](#) in early December.
- ❖ The Idaho Medical Association's executive committee voted to accept the FSMB's SMART guidelines as a base for their position from this point forward.
- ❖ A survey of Council members was conducted after the December meeting to determine if there was support for the Idaho Telehealth Council subcommittee in crafting another version of draft language for the Council's consideration which would do the following:
 - Align strongly with the FSMB guidelines using generic verbiage for application to physicians as well as other healthcare providers/practitioners;
 - Incorporate feedback from the December 12th Council meeting;
 - Integrate elements into ONE document applicable to physicians and all other healthcare providers/practitioners.
 - For those that responded, the results were favorable: (15 responses, 13 in support of aligning with FSMB, 1 in support of aligning with a few caveats).
- ❖ The draft is the result of efforts by the subcommittee (Stacey Carson, Tana Cory, Bill Hazle, Nancy Kerr, Casey Meza, Ken Schaecher, and Molly Steckel).
- ❖ The draft is even more so aligned with FSMB guidelines than previous versions of the draft document. The subcommittee admits the verbiage still needs to be wordsmithed, as they are not attorneys. The Council was asked to focus on agreement with principal or concept and NOT semantics to arrive at a formal position.
- ❖ Compilation of comments and feedback on the lastest draft of the Idaho Telehealth Access Act. Blue Cross has asked that their comments which were not available prior to the meeting be included in the [compilation document](#).
- ❖ [Idaho Telehealth Access Act 1-7-15](#)

4. Stakeholder Input – Panel Discussion

- ❖ Stacey Carson invited a panel of representatives from various healthcare provider regulatory boards so that the Council could hear and better understand their perspectives.
 - Dr. Joy Johnson: Idaho Board of Optometry, Board Member
 - The Idaho Telehealth Access Act should be aligned with already established board rules.
 - Dr. Johnson stated, "It is our job to protect the public not our profession." It is not self-serving as long as the public interest is always first.
 - The Board is comfortable with the direction the Telehealth Council is heading.
 - Dr. Ronald Ponsford: Idaho Board of Psychologist Examiners, Board Member
 - Strengthen the language in line 33, "Healthcare Provider" means a person who is licensed or regulated by the state of Idaho pursuant to Title 54, Idaho Code, to deliver healthcare consistent with their licensing, regulation and training.

- Address the prescribing issue either in this document or in the board rules.
- Robert Payne: Idaho Board of Social Workers, Board Member
 - Public protection should be the number one concern.
 - The relationship between the therapist and the client is the number one predictor of a successful outcome.
 - Just because the public wants something doesn't mean we should do it.
- Susan Miller: Idaho Board of Dentistry, Executive Director
 - Appreciated Stephanie Westermeier's comments.

5. Collect Feedback on Proposed Draft – Stacey Carson, Telehealth Council Chair

- ❖ Line 26, insert “, ***asynchronous store and forward transfer, synchronous interaction,***” between technology and or.
- ❖ Line 26, insert “(***distant site***)” after one location
- ❖ Line 27, insert “(***originating site***)” after another location
- ❖ Lines 33-34, Jean Uranga offered to provide an index to Title 54 of the Idaho Code which lists all professionals licensed under [Title 54](#).
- ❖ Line 42, replace *and* with “***or***”.

MOTION: Michael Meza moved, Rick Goodwin seconded a motion to change *and* to *or* in line 42.

- ❖ Line 59, replace *synchronous interaction* with “***two-way audio and visual interaction, whenever possible,***”

MOTION: Molly Steckel moved, Marc Chasin seconded a motion to replace *synchronous interaction* with ***two-way audio and visual interaction, whenever possible,*** in line 59.

- ❖ Line 63, delete *medical*.
- ❖ Line 85, Stacey Carson will work with healthcare attorneys to craft language that is not more restrictive than current law and aligns with the Ryan Haight Act. The language will be provided to the Council for consideration.
- ❖ Lines 128-148, these lines will be removed. The language may be used in an ancillary document.
- ❖ Line 149, replace *shall* with “***may***”.

6. Determine Council Position on Proposed Draft – Stacey Carson, Telehealth Council Chair

MOTION: Tana Cory moved, Marc Chasin seconded a motion that the Council give Stacey Carson the authority to move forward with the healthcare attorneys with the understanding that the language may need to be edited and then forwarded to the Council for consideration.

- ❖ The Council would like a few healthcare attorneys to review the Idaho Telehealth Access Act draft to decrease complexity, review for inconsistencies with existing state and federal statutes, and care not to impose requirements over and above those applicable to in-person visits would be beneficial. The Idaho Telehealth Access Act with the Council's revisions will be sent to the following attorneys.
 - Nicole McKay
 - Ken McClure
 - Joe McCollum
 - Stephanie Westermeier
 - Jean Uranga
 - Roger Hales
 - Steve Tobiason

7. Reimbursement for Telemedicine, Strategy for Future Analysis – Stacey Carson, Telehealth Council Chair

- ❖ Look at costs associated with lack of access. There is significant money to be saved.
- ❖ Question - who is going to pay for technology?
- ❖ Cover items that improve population health.
- ❖ The Council has requested clarification whether or not payment reform fits under the umbrella of [HCR46](#). Stacey Carson will work with Director Armstrong to clarify the intent of HCR46.

- ❖ Collectively, the Council can do a much better job of expanding telehealth in Idaho.

8. SHIP/IHC Update – Cynthia York, IDHW

- ❖ It is the hope of the Department that this group will stay intact and advise the Idaho Healthcare Coalition (IHC) in regards to telehealth. Cynthia York will seek guidance from Director Armstrong.
- ❖ The Council requests the IHC provide a specific ask.
- ❖ Cynthia York provided the [Idaho State Healthcare Innovation Plan](#) document.

9. Meeting Summary/Confirm Action Items – Stacey Carson, Telehealth Council Chair

- ❖ The next Telehealth Council meeting is scheduled for Friday, February 13th
- ❖ A small group of healthcare attorneys will be assembled to examine language approved by Council.
- ❖ Stacey Carson will provide recommendations to Director Armstrong and work with Representative Rusche (Heider and Wood) on legislative strategy.

With no further business to come before the Council, Chairman Carson adjourned the meeting at 2:00 p.m. without objection.